

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SAID ELMAJZOUB

Case No. 3:20-cv-00502-GMN-WGC

Plaintiff,

ORDER

v.

HAROLD WICKHAM, et al.,

Defendants.

I. DISCUSSION

On July 23, 2021, this Court entered a screening order permitting First Amendment and Fourth Amendment claims to proceed against Defendant Ordonez. (ECF No. 8 at 15). The Court stayed the case for 90 days to give Plaintiff and Defendant Ordonez an opportunity to settle their dispute before the filing fee was paid, an answer was filed, or the discovery process began. (*Id.* at 16). The Court directed the Attorney General's Office to notify the Court whether it would enter a limited notice of appearance on behalf of Defendant Ordonez for the purpose of settlement. (*Id.* at 17).

On September 2, 2021, the office of the Attorney General informed the Court that it could not make a limited appearance for the purpose of settlement because Defendant Ordonez, the only remaining defendant in this action, is no longer employed by the Nevada Department of Corrections and Defendant Ordonez has not requested representation from the Office of the Attorney General. (ECF No. 9). The Attorney

1 General's Office does not indicate that it has made any attempt to contact Defendant
2 Ordonez. (*Id.*)

3 In light of the Attorney General Office's notice, the Court now orders the Attorney
4 General's Office to provide the Court with a declaration detailing its attempts to contact
5 Defendant Ordonez, inform him of this action, and ask him if he would like the Office to
6 represent him in this matter. Within 30 days from the date of this order, the Attorney
7 General's Office shall file that declaration as well as an updated notice with the Court
8 informing the Court whether it will be entering a limited notice of appearance on behalf of
9 Defendant Ordonez for the purpose of settlement.

10 If the Attorney General's Office enters a limited notice of appearance on behalf of
11 Defendant Ordonez for the purpose of settlement, the Court shall schedule an early
12 inmate mediation conference. However, if the Attorney General's Office notifies the Court
13 that it will not be entering a limited notice of appearance, the Court will issue an order
14 that: (1) removes this case from the early inmate mediation program, (2) rules on the
15 application to proceed *in forma pauperis*, and (3) begins the service process with the U.S.
16 Marshal's Office.

17 **II. CONCLUSION**

18 For the foregoing reasons, IT IS ORDERED that, within 30 days of this order, the
19 Attorney General's Office shall file a declaration detailing its efforts to locate Defendant
20 Ordonez, inform him of this lawsuit, and offer to represent him.

21 IT IS FURTHER ORDERED that, within 30 days from the date of this order, the
22 Attorney General's Office shall file an updated notice with the Court informing the Court
23 about Ordonez's representation status.

24 IT IS FURTHER ORDERED that, within 30 days from the date of this order, the
25 Attorney General's Office shall advise the Court whether it will enter a limited notice of
26 appearance on behalf of Ordonez for the purpose of settlement. No defenses or
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1 objections, including lack of service, shall be waived as a result of the filing of the limited
2 notice of appearance.

3 DATED THIS 8th day of September, 2021.

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6 UNITED STATES DISTRICT JUDGE
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